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PTO/SB/05 (11-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No.

ARM-1A

First Inventor

Daniel Armstrong

Title

METHOD FOR SEPARATION, IDENTIFICATION  
AND EVALUATION OF MICROBES AND CELLS

Express Mail Label No.

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.

3. ☒ Specification [Total Pages **43**]  
(Preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **18**]

Oath or Declaration [Total Pages **61**]

- a. ☐ Newly executed (original or copy)  
b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)

i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).

☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

a. ☐ Computer Readable Form (CRF)

b. Specification Sequence Listing on:

i. ☐ CD-ROM or CD-R (2 copies); or

ii. ☐ paper

c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))

10. ☐ 37 CFR 3.73(b) Statement ☐ Power of  
(when there is an assignee) ☐ Attorney

11. ☐ English Translation Document (if applicable)

12. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 ☐ Citations

13. ☐ Preliminary Amendment

14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)

15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

16. ☐ Request and Certification under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.

17. ☒ Other: **Form PTO-2038**

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)

of prior application No.: **09, 603, 446**

Prior application information:

Examiner

Group Art Unit

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the present application, continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a **2031** is attached to the disclosure. If the disclosure is inadvertently omitted from the submitted application parts.

## CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

or ☐ Correspondence address below

Name

BIERMAN, MUSERLIAN AND LUCAS

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600 Third Avenue

City

New York

State

NY

Zip Code

10016

Country

US

Telephone

212-661-8000

Fax

212-661-8002

Name (Print/Type)

Donald C. Lucas

Registration No. (Attorney/Agent)

31,275

Signature

*Donald C. Lucas*

Date

2-26-02

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11011 U.S. PTO  
10/083845

02/26/02

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**463.00**

## Complete if Known

Application Number  
Filing Date  
First Named Inventor **Daniel Armstrong**  
Examiner Name  
Group Art Unit  
Attorney Docket No. **ARM-1A**

## METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

**02-2275**

**BIERMAN, MUSERLIAN  
AND LUCAS**

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	<b>370</b>
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)**370**

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	<div>21</div>	-20** =	<div>1</div>	x	<div>9</div>	= <div>9</div>
Independent Claims	<div>5</div>	-3** =	<div>2</div>	x	<div>42</div>	= <div>84</div>
Multiple Dependent						= <div></div>

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**93**

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

Name (Print/Type)

**Donald C. Lucas**

Registration No  
(Attorney/Agent)

**31,275**

Complete (if applicable)

Telephone

**212-661-8000**

Signature

*Donald C. Lucas*

Date

**2-26-02**

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with the United States Postal Service "EXPRESS MAIL POST OFFICE TO  
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and is addressed to Asst. Commissioner for Patents, Washington,  
D.C. 20231.

D. Holmcey

20030310083845 022502

# FEE TRANSMITTAL for FY 2002

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☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**463.00****Complete if Known**

Application Number	
Filing Date	
First Named Inventor	Daniel Armstrong
Examiner Name	
Group Art Unit	
Attorney Docket No.	ARM-1A

**METHOD OF PAYMENT** (check all that apply)
☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None
☐ Deposit Account:
 Deposit  
Account  
Number  
Deposit  
Account  
Name

02-2275

BIERMAN, MUSERLIAN  
AND LUCAS

The Commissioner is authorized to: (check all that apply)

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Large Entity | Small Entity

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**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

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SUBTOTAL (3) (\$)

**SUBMITTED BY**Name (Print/Type) **Donald C. Lucas**Registration No  
(Attorney/Agent)**31,275**

Complete (if applicable)

Telephone

**212-661-8000**

Signature

*Donald C. Lucas*

Date

**2-26-02**

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